

RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 2, 2006

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS TARKANIAN and ROSS

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Bulletin Board, City Hall Plaza (next door to Metro Records)

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:02 - 4:03)

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RECOMMENDING COMMITTEE MEETING OF: MAY 2, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-1 - ABEYANCE ITEM - Updates the zoning regulations that govern off-premise signs, and makes minor revisions regarding the placement of certain on-premise signs. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill updates the zoning regulations that govern off-premise signs and makes minor revisions regarding the placement of certain on-premise signs. The bill is intended to better address sign clutter and to facilitate consistent enforcement and interpretation of the sign regulations. Upon recommendation of the Planning Commission, the bill also expands the corridors along which new off-premise signs are to be excluded.

RECOMMENDATION:

The 4/4/2006 Recommending Committee held this bill in abeyance to the 5/2/2006 Recommending Committee meeting.

BACKUP DOCUMENTATION:

1. Bill No. 2006-1
2. Submitted at meeting: written comments of Tom McGowan

MOTION:

COUNCILMAN ROSS recommended Bill 2006-1 be held in abeyance to the Recommending Committee meeting of 5/16/2006. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

COUNCILWOMAN TARKANIAN announced that, due to a lot of communication and some special requests from the industry, she would be recommending this matter be held for two weeks. In the interim, any existing problems can be cleared up and, hopefully, a consensus achieved. PAUL LARSEN, Attorney, 300 South Fourth Street, representing Clear Channel, asked if additional meetings would be held with staff during the two-week period. The last meeting that was held on this matter was March 23, 2006, at which time certain discussions took place regarding several amendments, yet the bill draft he received does not reflect any of those revisions. MARGO WHEELER, Director, Planning and Development Department, interjected that CHIEF DEPUTY CITY ATTORNEY STEED might still have the original draft, but the draft that addresses the changes discussed at the March 29, 2006, meeting was emailed Monday, May 1, 2006, to everyone on the list.

COUNCILWOMAN TARKANIAN indicated that she received a copy. To her understanding, it was

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MINUTES - Continued:

forwarded to all the people who attended the meetings. ATTORNEY LARSEN countered that he did not receive the revised draft, despite attending every meeting. The only draft he received was signed by CHIEF DEPUTY CITY ATTORNEY STEED and dated December 20, 2005.

MIKE OVERBY, Clear Channel, and RUSSELL ROWE, Attorney, Kummer, Kaempfer, Bonner, Renshaw, and Ferrario, representing Lamar Advertising, indicated that they too did not receive the latest bill draft. COUNCILWOMAN TARKANIAN then indicated that discussions with staff would have to continue. PATRICK SMITH, Rogich Communications Group, indicated that he is on the email list, but he received the wrong version of the bill draft. COUNCILWOMAN TARKANIAN assured him that the correct version would be forwarded to him. MR. McGOWAN also requested a copy.

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the minutes. Regarding his concern on code violations, COUNCILWOMAN TARKANIAN assured MR. McGOWAN that code violations are referred to Code Enforcement. COUNCILMAN ROSS agreed with MR. McGOWAN that there is an issue of insufficient enforcement.

COUNCILWOMAN TARKANIAN indicated that she is counting on those present that have expressed concerns to contact her, COUNCILMAN ROSS, or MS. WHEELER and give their input.

COUNCILWOMAN TARKANIAN emphasized that she hopes this is the last time this matter is held in abeyance and that the two-week timeframe will allow enough time to reach a final consensus. ATTORNEY LARSEN said that he was not sure he would have enough time if he were to receive the revised draft Monday, May 15, 2006. MS. WHEELER assured COUNCILWOMAN TARKANIAN that the correct bill draft would be sent out immediately. COUNCILWOMAN TARKANIAN reiterated that she does not want to delay this matter any further, as it has been ongoing for a long time. She wants a resolution.

ATTORNEY LARSEN interjected that the two-week abeyance would probably allow enough time to articulate his client's position. In response, COUNCILMAN ROSS interjected that, prior to the above discussion, he was prepared to recommend forwarding this bill to the Council, so that those concerned could be heard by the entire Council. The intent is to reach a consensus between the industry and staff on what is best for City residents. But the sign industry has been put on notice that changes are coming. ATTORNEY LARSEN assured COUNCILMAN ROSS that he was not trying to be difficult; he had just not had the benefit of seeing the most current bill draft.

COUNCILWOMAN TARKANIAN underscored the importance of reaching a clear, definite consensus on the needs so that the Council fully understands the changes. ATTORNEY LARSEN reiterated that, without seeing the bill draft, he could not ascertain that there would be enough time. COUNCILWOMAN TARKANIAN indicated that the compromises that were reached at the last meeting should have been included on the latest bill draft the industry received. There were only about five points that were still in question, which she would verify with MS. WHEELER.

ATTORNEY LARSEN countered that the devil is in the details, and there may be an accord on the conceptual issues; but, until he reviews the actual bill draft, it will be difficult for him to comment. MR. McGOWAN said that the Committee's continued reference to the industry makes it easy for him to

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MINUTES - Continued:

discern that interested and affected members of the public have equal weight.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:03 - 4:14)

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RECOMMENDING COMMITTEE MEETING OF: MAY 2, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-3 - ABEYANCE ITEM - Amends the time-lines for filing and hearing a work card appeal and repeals the dual filing requirements for a written notice of appeal. Proposed by: Mark R.Vincent, Director of Finance and Business Services

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill repeals the requirement that written notices of work card appeals be filed with both Metro and the City Clerk and instead requires that they only be filed with the City Clerk. The time for filing work card appeals will be shorten from thirty days to ten days, which then must be heard by the City Council within forty-five days of the filing of the notice of appeal under the proposals of this bill.

RECOMMENDATION:

The 2/28/2006 Recommending Committee held this bill in abeyance to the 4/4/2006 Recommending Committee meeting.

BACKUP DOCUMENTATION:

Bill No. 2006-3

MOTION:

COUNCILMAN ROSS recommended Bill 2006-3 be stricken. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated that the Department of Finance and Business Services requested this matter be stricken, as staff's research indicates that a broader approach to work cards needs to be taken, which would go beyond the scope of this bill. Staff will introduce a broader bill draft. MARK VINCENT, Director, Finance and Business Services, added that staff is still waiting for comments from Clark County.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:14 - 4:16)

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RECOMMENDING COMMITTEE MEETING OF: MAY 2, 2006

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2006-22 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2007) Sponsored by: Step Requirement

Fiscal Impact:☐**No Impact****Amount:**

\$59,400.00

☒**Budget Funds Available****Dept./Division:**

Public Works/SID

☐**Augmentation Required****Funding Source:**

Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July, 2006 through June, 2007.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-22

MOTION:

COUNCILMAN ROSS recommended Bill 2006-22 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MIKE THOMPSON, Supervisor, Special Improvement District Section, indicated that this bill levies assessments along the Alta Corridor to cover the associated maintenance costs in Fiscal Year 2007. COUNCILMAN ROSS commented that the street looks great. COUNCILWOMAN TARKANIAN agreed with COUNCILMAN ROSS, adding that in all the meetings she has attended in the neighborhood the residents have expressed their satisfaction. The gardeners are doing a great job. MR. THOMPSON indicated that his office has received very little complaints about the corridor.

TOM McGOWAN, Las Vegas resident, asked if any serious accidents have occurred on the Alta Corridor. COUNCILWOMAN TARKANIAN answered that the only incident she was aware of is that someone ran into the historical sign, which is located at the entry at Rancho and Alta. MR. THOMPSON agreed with COUNCILWOMAN TARKANIAN. MR. McGOWAN noted that he is very pleased with this Committee's and staff's excellent work.

No one appeared in opposition.

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COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:16 - 4:19)

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RECOMMENDING COMMITTEE MEETING OF: MAY 2, 2006

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT**☒ **DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2006-23 - Authorizes the issuance of City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues) Series 2006A and Series 2006B, in an amount not to exceed \$70,000,000. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact:☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This long-term general obligation is being issued pursuant to NRS 350.020(3). The debt is additionally secured by a pledge of revenues comprised of 15% of the City's Consolidated Tax revenues received and allowed to be pledged pursuant to NRS 377.080. The bonds will be issued in separate taxable or non-taxable series as necessary for the various construction phases. The refunding portion of this bond issue is done pursuant to NRS 350.684. Projections indicate that the refunding will net a 4% savings in borrowing costs.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2006-23
2. Submitted at meeting: written comments of Tom McGowan

MOTION:

COUNCILMAN ROSS recommended Bill 2006-23 be forwarded to the Full Council with no recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, reported that there are three separate purposes being contemplated in this bond issue, of which \$47 million will be earmarked for parks and recreation, specifically for the Big League Dreams and Alexander/Hualapai projects. Additionally, another \$23 million was authorized in debt to be refunded for the Stewart Garage/City Hall expansion. If the rates are favorable and a three-percent-present-value savings can be achieved, staff will refinance \$23 million of the debt.

TOM MCGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the minutes. In response to MR. MCGOWAN'S comments, MR. VINCENT explained

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that the \$47 million for the two parks and recreation projects, Big League Dreams and Alexander/Hualapai, were already approved in the Capital Project Plan; therefore, bonds will be sold for those projects. The additional \$23 million entails refunding existing debt on a project that has already been built. Thus, none of the monies were allocated, because authorization had not been given.

Regarding the money allocated for the Big League Dreams project, COUNCILWOMAN TARKANIAN asked if that entails the total amount agreed upon or if additional funding is being included. She questions this, because, in the past, certain funding has been approved by the Council, and she later learns that additional funding is necessary. MR. VINCENT indicated these bonds involve debt that has already been agreed upon. At the budget workshop in March, it was reported that the original estimated amount for the Big League Dreams project was not sufficient, and discussion was held about allocating additional monies. A vote was not taken, but the verbal direction was to proceed. Hence, staff identified additional cash resources to supplement the bonds in order to keep the project whole. Based on the engineer's estimates, staff did not believe additional funding would be necessary.

COUNCILWOMAN TARKANIAN asked if approval of this matter would provide additional monies to be used for expenditures that were not anticipated for the Dreams project. MR. VINCENT replied that the bond debt was planned at \$25 million to fund the Big League Dreams project. There was an additional \$11.5 million cost identified in the latest engineer's estimate. At the budget workshop, staff identified \$10 million in debt that was due to expire December 2007. Staff suggested re-issuing that debt to supplement the project.

COUNCILWOMAN TARKANIAN noted that the \$11.5 million is almost a 50 percent increase over the original total project cost that was represented to the Council. To her understanding, the County was asked twice to do the project before the City was approached. She emphasized that she is concerned about the over-expenditure, as well as the fees that will be charged for the use of the park. In an attempt to assuage the Councilwoman's concerns, MR. VINCENT explicated that staff would not execute the sale of the bonds until the final budget for 2007 is approved. The final budget hearing is slated for Tuesday, May 16, 2006, at which time the full Council can vote up or down on the Capital Project Plan, including the new estimate for the Big League Dreams project. If the Council decides not to fund the project at the estimated level, staff would not issue the bond.

COUNCILMAN ROSS recommended forwarding Bill 2006-23 with a "Do Pass" recommendation. COUNCILWOMAN TARKANIAN indicated she could not support his recommendation. COUNCILMAN ROSS stated that if she could not support his recommendation, the bill would be forwarded with no recommendation. Thus, COUNCILMAN ROSS persisted with his initial recommendation. Since the Committee members could not agree, CHIEF DEPUTY CITY ATTORNEY STEED suggested the Committee forward the bill with no recommendation.

TOM McGOWAN, Las Vegas resident, pointed out that nowhere on the Recommending Committee Agenda, where the function of the Committee is described, is the option of "no recommendation" listed.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

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MINUTES - Continued:

(4:19 - 4:29)

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CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

BACKUP DOCUMENTATION:

Submitted at meeting: written comments of Tom McGowan

MINUTES:

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the minutes.

(4:29 - 4:32)

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THE MEETING ADJOURNED AT 4:32 P.M.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk
May 10, 2006